IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FOUR

| | | |
|---|---|---|
| CHURCH OF SCIENTOLOGY, INTERNATIONAL,<br>Plaintiff/Respondent,<br><br>vs.<br><br>GERALD ARMSTRONG,<br>Defendant/Appellant. | ) | NO. A075027 |

CLERK'S TRANSCRIPT ON APPEAL

FROM A JUDGMENT MADE AND ENTERED

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

MARIN COUNTY COURTS

VOLUME I

For the Plaintiff/Respondent:

Andrew Wilson, Esq.
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115 Sansome Street, 4th Floor
San Francisco, CA 94104

For the Defendant/Appellant (In Pro Per):

Gerald Armstrong
715 Sir Francis Drake Blvd.
San Anselmo, CA 94960

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**MARIN COUNTY COURTS**

**DEPARTMENT 1**

| | | |
|---|---|---|
| **CHURCH OF SCIENTOLOGY, INTERNATIONAL,** Plaintiff, | ) | |
| **vs.** | ) | |
| **GERALD ARMSTRONG,** Defendant. | ) | **No. 157680** |

**GARY W. THOMAS** — **JUDGE**

**JOHN P. MONTGOMERY** — **COURT EXECUTIVE OFFICER**

**ELAINE PASSARIS** — **REPORTER**

**For the Plaintiff:**

**Andrew Wilson, Esq.**
**WILSON, RYAN & CAMPILONGO**
**115 Sansome Street, 4th Floor**
**San Francisco, CA 94104**

**For the Defendant (In Pro Per):**

**Gerald Armstrong**
**715 Sir Francis Drake Blvd.**
**San Anselmo, CA 94960**

APR 0 8 1997

**CLERK'S DECLARATION**

1. **This transcript contains documents from the following cases:**

**Marin County Case No. 152229 (Volume 1)**

**Los Angeles County Case No. BC052395 (Volumes 1 - 11)**

**Marin County Case No. 157680 (Volumes 12 - 35)**

**2. Los Angeles Case No. BC084462 documents, as requested in appellant's Notice of Designation of Clerk's Transcript, are not included in the record. This case was not included in the files transferred back to Marin County.**

**3. The following documents were requested in the appellant's Notice of Designation of Clerk's Transcript. They were not found in the files, even after diligent search.**

**a. # 29: (Defendant's Notice of Ex Parte Application and Ex Parte Application to Continue Hearing Date on OSC Re Contempt; Declaration of Ford Greene; [Proposed Order],**

**b. # 40: (Plaintiff's) Request for Judicial Notice of Documents Previously Filed in Church of Scientology International vs. Armstrong; and Declaration of Laurie J. Bartilson,**

**c. # 41: (Plaintiff's) Request for Judicial Notice of Documents; Declaration of Lauire J. Bartilson,**

**d. # 73: (Plaintiff's) Notice of Change of Hearing Date (Re motion for summary adjudication of cross-complaint to 8/2/94),**

**e. # 75: (Plaintiff's) Letter of Laurie J. Bartilson to Judge Diane Wayne re OSC re Contempt,**

**f. # 80: Plaintiff's) Lodging of Exhibit a to Declaration of Lawrence E. Heller,**

**g. # 86: Notice of Outgoing Transfer,**

h. #87: Armstrong's Opposition to Ex Parte Application for Order Deeming an Incomplete File to be "complete" Declarations of Ford Greene; Sanctions Request,

i. #115: (CSI's) Notice of Entry of Order Shortening Time for briefing Schedule and Hearing Date of Motion for Consolidation and Continuance of Trial Date,

j. #122: Plaintiff's Memorandum of Points and Authorities in Support of Motion for Summary Adjudication of the Fourth, Sixth and eleventh Causes of Action of Plaintiff's second Amended Complaint and Exhibits Thereto,

k. #128: Armstrong's Evidence in Support of Supplemental Declaration in Opposition to Scientology's Motion for Summary Adjudication of the fourth, Sixth and Eleventh causes of Action of Second Amended Complaint,

l. #129: Armstrong's Supplemental Declaration in Opposition to Scientology's Motion for Summary Adjudication of the Fourth, Sixth and Eleventh Causes of Action of Second Amended Complaint,

m. #132: Church of Scientology International's Ex Parte Application for an Order Striking Armstrong's Late-filed supplemental Declaration in Opposition to Plaintiff's Motion for Summary Adjudication of the Fourth, Sixth and Eleventh Causes of Action of Second Amended Complaint, or, in the alternative, for a Order Sealing Exhibits A and M to Said Declaration; Request for Sanctions [C.C.P.. sec. 437C(i)],

n. #133: (Plaintiff's) Declaration of Laurie J. Bartilson in Support of Church of Scientology International's Ex Parte Application for an Order Striking Armstrong's Late-filed Supplemental Declaration Opposition to Plaintiff's Motion for Summary Adjudication of the Fourth, Sixth and Eleventh Causes of Action of Second Amended Complaint, or, in the Alternative, for an Order Sealing Exhibits A and M to Said Declaration,

o. #134: Church of Scientology International's Memorandum of Points and Authorities in Support of Ex Parte Application for an Order Striking Armstrong's Late-filed Supplemental Declaration in Opposition to Plaintiff's Motion for Summary Adjudication of the Fourth, Sixth and Eleventh Causes of Action of Second Amended Complaint, or, ion the Alternative, for an Order Sealing Exhibits A and M to Said Declaration; Request for Sanctions [C.C.P.. Sec 437C(i)],

p. #135: Armstrong's Declaration in Opposition to Ex Parte Application for Order Striking Declaration re Summary Adjudication,

**Page 3, Clerk's Declaration**

**q. #136: Armstrong's Opposition to Ex Parte Application for Order Striking Declaration re Summary Adjudication**

**r. #148: (Plaintiff's) Notice of Lodging Video Tape as Exhibit lK in Support of Plaintiff's Notice of Motion and Motion for Summary Adjudication of the Thirteenth, Sixteenth, Seventeenth and Nineteenth Causes of Action of Plaintiff's Second Amended Complaint,**

**s. #155: (Plaintiff's) Declaration of Laurie J. Bartilson in Support of Plaintiff's Opposition to Defendant Gerald Armstrong's Third Ex Parte Application Continue Hearing on Motions for Summary Adjudication,**

**t. #156: Plaintiff's Opposition to Defendant Gerald Armstrong's Third Ex Parte Application to Continue Hearing on Motions for Summary Adjudication,**

**u. #187: (Plaintiff's) Notice of Ruling (Re 10/17/95 Orders).**

J Bost

**Jerri Bost, Deputy Clerk**